

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

)
) MDL No. 1456

)
) CIVIL ACTION: 01-CV-12257-PBS

THIS DOCUMENT RELATES TO ALL
CLASS ACTIONS

)
) Judge Patti B. Saris
)
)
)

PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF IMS DATA AND REPORTS

Plaintiffs respectfully move the Court for an order requiring all Phase 1 defendants to produce as promptly as possible all materials requested by way of plaintiffs' Amended and/or Supplemental Request for Production of Documents to Phase 1 Defendants Relating to IMS Data, which requests for production were served on all Phase 1 defendants on August 30, 2005 and August 31, 2005 (with minor modifications). This motion is supported by a memorandum of law filed of even date.

DATED: October 21, 2005

By /s/ Steve W. Berman

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CERTIFICATE OF SERVICE

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing, **PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF IMS DATA AND REPORTS** to be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on October 21, 2005, a copy to LexisNexis File & Serve for Posting and notification to all parties

By /s/ Steve W. Berman

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